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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,368	09/11/2003	Brian N. Belanger	2222.3810000	3018

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STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

JOHNSON, CARLTON

ART UNIT	PAPER NUMBER
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2436

MAIL DATE	DELIVERY MODE
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03/24/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/659,368	Applicant(s) BELANGER ET AL.	
	Examiner CARLTON V. JOHNSON	Art Unit 2436	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 March 2011 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires _____ months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: 1-38 and 41-44.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.

/Nasser Moazzami/
 Supervisory Patent Examiner, Art Unit 2436

/Carlton V. Johnson/
 Examiner, Art Unit 2436

1. The amendments to Claims will be entered.
2. A comparison of the last set of claims entered on 10-18-2010 and the set of claims presented by Applicant on 3-4-2011 indicated slight differences for Claim 2 and Claim 16. The slight differences do not change the meaning of the claims.

Examiner Position:

The arguments were not persuasive in overcoming the currently rejected claims.

Response to Arguments

1. Bacha discloses a determination using an access control mechanism to revise, update, or modify access control information. (see Bacha col. 10, lines 48-60: another authorized user such as a resolution authority with ability to update access control information) Bacha discloses modification of access control information by another authorized user thereby enabling access to an entity. The access control information are the access requirements for the entity. The Specification in paragraph [0004] discloses that access requirements are compared to access candidate attributes to determine access. This comparison appears to suggest that access requirements and access candidate attributes are analogous.

Timson discloses the usage of additional modules to determine access requirements after a first level of authorization has completed (a second level of authorization). Bacha discloses enabling another authorized entity such as a resolution authority to determine access control for an entity. Bacha discloses that the access control requirements are modified even if the requirements are modified within an access list. The access requirements which control access to the document (entity8) are still modified or revised.

2. Orsini is not used to disclose claim limitation of revisable access requirements. Orsini is used to disclose the claim limitation at least one of a citizenship requirement and an indication of a current location of an access candidate. (see Orsini paragraph [0013], lines 1-3; paragraph [0060], lines 4-13: management of secure data, parameters (i.e. attributes) agreement, location information)

3. Timson discloses the capability to determine access requirement(s) at different security levels. Timson discloses the capability to add additional modules used for determining access requirements equivalent to data access controllers (controlling access to data). The indicated IM (interrogatable module) and EM (enabling module) are used to enable access to data. (see Timson col 4, line 60 - col. 5, line 4: additional authorization modules) And, Timson discloses the capability to forward a request to these additional access requirement modules. (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing (i.e. submit, forward request for processing); col. 2, lines 31-34; col. 2, lines 40-41: interrogatable and enabling modules, resources to enable (i.e. grant) control access to data)) The request mechanism used with the IM and EM modules is utilized with the additional access requirement modules. (see Timson col. 3, lines 34-40; col. 3, lines 57-64: request processing (i.e. request submitted and processed); col 3, lines 2-4: network connection for communications for enabling module; col 6, lines 47-64: used in a network environment; server computer incorporated into a network configuration)

Timson discloses the capability to add additional authentication modules to the authentication procedures. These additional authentication modules can generate a hierarchical structure for the authentication process with access to the resolution authority performed as a last authentication process as per claim limitation. (see Timson col 4, line 60 - col. 5, line 4: hierarchical authorization structure) Timson and Moreh disclose the usage of a resolution authority to provide additional authentication services. (see Moreh col. 2, lines 48-62; col. 5, line 56 - col. 6, line 19: authentication services between client and server using intermediate entity (protocol proxy))

4. Arguments against dependent claims are answered by responses to associated independent claims.

5. Timson discloses operating within a network environment and physical access to a computing system. (see Timson col 3, lines 2-4: network connection for communications for enabling module; col 6, lines 47-64: used in a network environment; server computer incorporated into a network configuration; access to secure areas (physical access to equipment such as computing system))

Without a successful authorization comparison (a match), access is not permitted. All of the required functions are disclosed by Timson as indicated in the accompanying citations. (see Timson col. 3, line 34 - col. 4, line 15: access information; request/response authorization information; comparison of candidate (authorization) information; authorization verification, or prohibition if verification not successful) The Examiner has evaluated Applicant's remarks (past and present) and has determined that the Applicant desires a third party to act as a resolution authority in performing an additional authentication service.